

STATE OF MINNESOTA

EXECUTIVE DEPARTMENT



MARK DAYTON
GOVERNOR

Emergency Executive Order 11-07

Providing for Emergency Relief from Regulations to Motor Carriers and Drivers Operating in Minnesota

I, Mark Dayton, Governor of the State of Minnesota, by virtue of the authority vested in me by the Constitution and applicable statutes, including Minnesota Statutes, section 221.0269, do hereby issue this Emergency Executive Order:

Whereas, the severe spring flooding is significantly impacting communities located near Minnesota rivers, streams, and creeks; and

Whereas, this crisis has the potential to inflict widespread and substantial damage to public infrastructure, as well as to private homes, businesses, and farms; and

Whereas, it is urgent that relief efforts commence to protect the health and safety of Minnesota citizens; and

Whereas, emergency assistance of motor carriers is needed to transport supplies and materials to affected areas of the state;

Now, Therefore, I hereby order that:

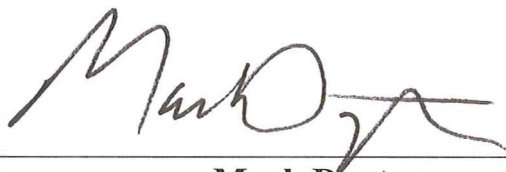
1. A state of emergency exists that requires relief for vehicles used to provide direct assistance to the emergency. The vehicles are exempted from seasonal load restrictions on local and state highways and streets imposed under Minnesota Statutes, section 169.87.
2. Carriers or drivers of commercial motor vehicles providing direct assistance for flood relief are exempted from the regulations incorporated in Minnesota Statutes, section

221.0314, subdivision 9, pertaining to hours of service for carriers and drivers of commercial motor vehicles.

3. Nothing in this order relieves motor carriers and drivers from regulations pertaining to driver qualifications, driving of commercial motor vehicles, commercial driver's licenses, drug and alcohol testing for drivers, or equipment, parts and accessories necessary for the safe operation of vehicles.
4. No motor carrier operating under terms of this emergency order shall require or allow an ill or fatigued driver to operate a commercial motor vehicle. Any driver who informs a carrier that he or she needs immediate rest shall be given at least ten consecutive off-duty hours before the driver is required to return to service.
5. No driver operating under terms of this order shall operate a commercial motor vehicle while fatigued or ill. Fatigued drivers shall take at least ten hours off-duty before returning to service.
6. Upon the expiration of this emergency order, or when a driver or carrier ceases to provide direct assistance to the flood relief effort, a driver that has had at least thirty-four consecutive hours off-duty must be permitted to start his or her on-duty status hours and 60/70-hour clock at zero.

Under Minnesota Statutes, section 4.035, subdivision 2, this emergency order is effective immediately and must be filed with the Secretary of State and published in the State Register as soon as possible after its issuance. It remains in effect for thirty days or until the commercial motor carrier or driver ceases direct assistance in providing emergency relief, whichever occurs first. For purposes of this order, direct assistance is defined in Minnesota Statutes, section 221.0269, subdivision 3(c). This order may be extended in accordance with Minnesota Statutes, section 221.0269, Subdivision 2.

In Testimony Whereof, I have set my hand on March 24, 2011.



Mark Dayton
Governor

Filed According to Law:



Mark Ritchie
Secretary of State

